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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/942,755	08/30/2001	Kulvir Singh Bhogal	AUS920010510US1	9948

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EXAMINER

ELMORE, JOHN E

ART UNIT

PAPER NUMBER

2134

DATE MAILED: 01/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/942,755	<b>Applicant(s)</b> BHOGAL ET AL.	
	<b>Examiner</b> John Elmore	<b>Art Unit</b> 2134	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 August 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

1. Claims 1-19 have been examined.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claims 1, 2, 4-7, 9-12, 14-16, 18 and 19 are rejected under 35 U.S.C. 103(a)** as being unpatentable over Moon et al., hereafter Moon, (USPN 6,157,954 – published December 5, 2000) in view of Budd et al, hereafter Budd, (USPN 5,970,418 – published October 19, 1999).

**Regarding claim 1**, Moon discloses a method for receiving personal identification information by means of a telecommunication device, the method comprising:

receiving a communication transmission (receive a call via a phone application; column 4, lines 19-21); and

receiving a second transmission (receive mail and electronic business cards via a messaging application; column 4, lines 15-27),

wherein the second transmission contains personal identification information about the party sending the communication transmission and wherein the personal identification information is independent of the identity of the device used to

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send the communication transmission (personal identification information includes electronic business card; see column 5, lines 26-32, and column 5, line 66, through column 6, line 2).

But Moon does not explain that receiving the second transmission is concurrent with receiving the first communication transmission.

However, Budd teaches a method of communication via a cellular phone (column 4, lines 60-62) wherein receiving the second transmission is concurrent with receiving the first communication transmission (column 4, lines 41-48) for the purpose of allowing the user to speak on the phone while simultaneously using the device to receive digital data (column 4, lines 48-51).

Therefore, it would be obvious to a person of ordinary skill in the computer art at the time the invention was made to modify the method of Moon with the teaching of Budd to provide a method wherein receiving the second transmission is concurrent with receiving the first communication transmission. One would be motivated to do so in order to allow the user to speak on the phone while simultaneously using the device to receive personal identification information in the form of digital data.

**Regarding claim 2**, Moon and Budd are relied on for their teaching in regard to claim 1, and further teach a method wherein the personal identification information includes at least one the following: name; business name; address; telephone number; fax number; pager number; email address; and web site address (electronic business card is transmitted which contains at least business name, telephone number, fax

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number, and email address; see Moon, column 2, lines 22-24; column 5, lines 28-32; and column 5, line 66, through column 6, line 2).

**Regarding claim 4**, Moon and Budd teach all the limitations of claim 1, and further teach a method wherein the personal identification information is stored in memory on the sending device (business card database is stored in memory on sending device via the messaging application; see Moon, column 5, lines 55-57, and column 5, line 66, through column 6, line 2).

**Regarding claim 5**, Moon and Budd teach all the limitations of claim 1, and further teach a method wherein the receiving device is one of the following: mobile telephone; land-line telephone; voicemail system; PDA; and pager (the receiving device is a mobile telephone; see Moon, column 3, lines 52-53).

**Regarding claim 6**, Moon and Budd teach a method for receiving personal identification information by means of a telecommunication device, the method comprising:

    sending a communication transmission (initiate a call via a phone application; see Moon, column 4, lines 19-21); and

    sending a second transmission (send mail and electronic business cards via a messaging application; see Moon, column 4, lines 15-27, and column 5, line 66, through column 6, line 2).

The remaining limitations, namely that the second transmission is concurrent to the first and that the second transmission contains personal identification information, is

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addressed in claim 1. Therefore, for reasons discussed above, such a claim would also have been obvious.

**Regarding claim 7**, Moon and Budd are relied on for their teaching in regard to claim 6, and further teach a method wherein the personal identification information includes at least one the following: name; business name; address; telephone number; fax number; pager number; email address; and web site address (electronic business card is transmitted which contains at least business name, telephone number, fax number, and email address; see Moon, column 2, lines 22-24; column 5, lines 28-32; and column 5, line 66, through column 6, line 2).

**Regarding claim 9**, Moon and Budd teach all the limitations of claim 6, and further teach a method wherein the personal identification information is stored in memory on the sending device (business card database is stored in memory on sending device via the messaging application; see Moon, column 5, lines 55-57, and column 5, line 66, through column 6, line 2).

**Regarding claim 10**, Moon and Budd teach all the limitations of claim 6, and further teach a method wherein the receiving device is one of the following: mobile telephone; land-line telephone; voicemail system; PDA; and pager (the receiving device is a mobile telephone; see Moon, column 3, lines 52-53).

**Regarding claims 11, 12, 14, 15, 16 and 18** this is a computer program product version of the claimed method steps discussed above in claims 1, 2, 4, 6, 7 and 9, respectively, wherein all claim limitations have been addressed. Thus, for reasons discussed above, such claims also would have been obvious.

**Regarding claim 19**, this is a system version of the claimed method steps discussed above in claim 1, wherein all claim limitations have been addressed. Thus, for reasons discussed above, such a claim also would have been obvious.

3. **Claims 3, 8, 13 and 17 are rejected under 35 U.S.C. 103(a)** as being unpatentable over Moon in view of Budd, as applied to claims 1 and 6, in further view of IMC ("vCard: The Electronic Business Card," White Paper, January 1, 1997).

**Regarding claim 3**, Moon and Budd teach all the limitations of claim 1 and further teach that in one embodiment of the invention the sending device is a desktop computer (column 3, lines 52- 54). But Moon does not explicitly explain that the personal identification information is stored on a server.

However, IMC teaches the storage of an electronic business card on a server (web server stores vCard; page 4, paragraph 4) for the purpose of facilitating open exchange of personal identification information within client/server messaging services (page 1, paragraph 5, and page 2, paragraphs 3 and 5).

Therefore, it would be obvious to a person of ordinary skill in the computer art at the time the invention was made to modify the method of Moon and Budd with the teaching of IMC to provide a method wherein the personal identification information is stored on a server. One would be motivated to do so in order to facilitate open exchange of personal identification information within client/server messaging services.

**Regarding claim 8**, Moon and Budd teach all the limitations of claim 6 and further teach that in one embodiment of the invention the sending device is a desktop

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computer (column 3, lines 52- 54). But Moon does not explicitly explain that the personal identification information is stored on a server. This limitation has been addressed in claim 3. Thus, for reasons discussed above, such a claim also would have been obvious.

**Regarding claims 13 and 17**, this is a computer program product version of the claimed method steps discussed above in claims 3 and 8, respectively, wherein all claim limitations have been addressed. Thus, for reasons discussed above, such claims also would have been obvious.

### ***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Alperovich (USPN 6,175,741 – published January 16, 2001, as cited in the IDS) teaches the exchange of an electronic business card between mobile phones.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Elmore whose telephone number is 571-272-4224. The examiner can normally be reached on M 10-8, T-Th 9-7.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Greg Morse can be reached on 571-272-3838. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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A handwritten signature in black ink, appearing to read 'Gregory Morse', is written in a cursive style.

GREGORY MORSE  
SUPERVISORY PATENT EXAMINER  
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